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14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

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18 UNITED STATES OF AMERICA,
19 Plaintiff,
20 v.
21
22 SAUL ONTIVEROS-SOLIS,
23 Defendant.

24 CASE NO. 1:20-CR-00016-DAD-BAM
25 STIPULATION TO SET CHANGE OF PLEA
HEARING; AND ORDER
26
27 DATE: March 23, 2022
TIME: 10:00 a.m.
COURT: Hon. Dale A. Drozd

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30 STIPULATION

31 1. The government, by and through United States Attorney Phillip A. Talbert and Assistant
32 United States Attorney Katherine E. Schuh, and the defendant Saul Ontiveros-Solis, by and through his
33 counsel of record, Virna Santos, hereby stipulate as follows.

34 2. The parties have reached a plea agreement in this case.

35 3. The parties ask that the matter as to defendant Saul Ontiveros be set for a change of plea
36 before the Honorable Dale A. Drozd on March 28, 2022 at 9:00 AM.

37 4. The parties request that the Court VACATE the status conference currently set for March
38 23, 2022 at 1:00 p.m. before the Honorable Barbara A. McAuliffe.

39 5. By this stipulation, defendant now moves to exclude time between March 23, 2022, and
40 March 28, 2022. The parties further agree and stipulate, and request that the Court find the following:

41 a) The government has represented that the discovery associated with this case

1 includes investigative reports, photographs, video recordings, audio records, and other
2 investigative documents. All of this discovery has been either produced directly to counsel
3 and/or made available for inspection and copying.

4 b) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking
6 into account the exercise of due diligence.

7 c) The government does not object to the continuance.

8 d) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of March 23, 2022 to March 28,
13 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it
14 results from a continuance granted by the Court at defendant's request on the basis of the Court's
15 finding that the ends of justice served by taking such action outweigh the best interest of the
16 public and the defendant in a speedy trial.

17 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

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1 IT IS SO STIPULATED.
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3 Dated: March 18, 2022

4 PHILLIP A. TALBERT
5 United States Attorney
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7 /s/ Katherine E. Schuh
8 KATHERINE E. SCHUH
9 Assistant United States Attorney
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11 Dated: March 18, 2022

12 /s/ Virna Santos
13 VIRNA SANTOS
14 Counsel for Defendant
15 SAUL ONTIVEROS-SOLIS
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17 **ORDER**

18 IT IS SO ORDERED that the status conference set for March 23, 2022, is vacated. A change of
19 plea hearing is set for **March 28, 2022, at 9:00 a.m. before District Judge Dale A. Drozd.** Time is
20 excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).
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22 IT IS SO ORDERED.
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24 Dated: March 18, 2022

25 /s/ Barbara A. McAuliffe

26 UNITED STATES MAGISTRATE JUDGE
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